

40th Session of the Human Rights Council

Item 3: Interactive Dialogue - Special Rapporteur on Adequate Housing

4 March 2019

Delivered by Br. Rodrigo Peret, OFM

Thank you, Mr. President,

We welcome the report by the Special Rapporteur on Adequate Housing and its focus on access to justice. We agree very much with the analysis that access to justice for violations of the right to housing is key to combat the housing crisis and to ensure that violations are effectively addressed and redressed, contributing to avoid the recurrence of disasters and harm displacing people and destroying homes and lands.

Ensuring access to justice is also crucial when companies and businesses are involved in the violation of right of housing, particularly in contexts of megaprojects located in the most marginalized places.

Just in January 25th, 2019, in the community of Córrego do Feijão, located in Brumadinho (Minas Gerais), a tailing dam property of the mining company Vale breached, flooding a large area with toxic mud, destroying homes, impacting on the environment and on a whole range of other human rights such as health and water. To date, this disaster has left 179 people dead and other 131 bodies missing.

This situation follows the previous disaster of the dam collapse in 2015 in Mariana. Up to now, this disaster continues producing harmful effects on the local communities and environment. Those affected in Mariana are still fighting for their rights including to resettlement, adequate housing and full compensation for the damages and losses. Currently, only in the State of Minas Gerais, there are at least 40 dams with the danger of collapsing and great risk of potential harms.

States need to realize the right to an effective remedy and reparations for victims of violations of the right to housing, which includes the guarantee of non-repetition and non-recurrence.

In this regard, States, but particularly the judiciary, must adopt interim or precautionary measures to prevent irreparable harm. Guaranteeing that companies are held accountable and fighting impunity shall also be a deterrent to avoid that the same disasters happen again and again.

Thank you, Mr. President.